

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3035 OF 2005

Rajendra Desai & Ors. ... Petitioners

V/s.

Polychem Ltd. ... Respondent

Mr.G.M. Joshi for Petitioners

Mr.H.D. Buch for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 6, 2005**

P.C.:

. The Petition challenges the order of the Industrial Court rejecting the complaint filed by the Petitioners. The complaint of the Petitioners is that they were compelled to resign from service on the assurance that they would be employed in some other companies of the respondent. They claim that they were paid an ex-gratia amount for nine months after resigning from services. The Industrial Court has found that after the submission of the resignation on 20.6.1997, the petitioners approached the Industrial Court only in 1998 after the ex-gratia was paid to them. No grievance was made by the complainants from 4.6.1999 to 18.3.1998. They have received all their provident fund and gratuity dues. The Industrial Court also found that the Memorandum of Understanding alleged to have been reached

between the parties was not on record and therefore has disbelieved the evidence of the Petitioner. I see no reason to interfere with the impugned order. Petition rejected.